

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 6846**

**BILL NUMBER:** HB 1068

**NOTE PREPARED:** Feb 14, 2011

**BILL AMENDED:** Feb 8, 2011

**SUBJECT:** Public Safety Officer Personal Information.

**FIRST AUTHOR:** Rep. Hinkle

**FIRST SPONSOR:** Sen. Merritt

**BILL STATUS:** As Passed House

**FUNDS AFFECTED:** X GENERAL  
X DEDICATED  
FEDERAL

**IMPACT:** State & Local

**Summary of Legislation:** (Amended) *Confidential Public Safety Officer Records*- The bill provides that records that contain the residential address, personal telephone number, or personal electronic mail address of a law enforcement officer or firefighter contained in the records of the public agency that employs the law enforcement officer or firefighter are confidential for purposes of the law concerning access to public records.

*Felony Provision*- The bill makes it endangering a public safety officer, a Class D felony, for a person to knowingly or intentionally use an interactive computer service to post, publish, or otherwise disseminate the residential address of a law enforcement officer or firefighter if the person knows or reasonably should know that the posting, publishing, or dissemination of the residential address poses an imminent threat to the safety of: (1) the law enforcement officer or firefighter; or (2) a spouse, child, or parent of the law enforcement officer or firefighter.

**Effective Date:** July 1, 2011.

**Explanation of State Expenditures:** A person in violation of the bill's provisions would be endangering a public safety officer, a Class D felony.

A Class D felony is punishable by a prison term ranging from six months to three years or reduction to Class A misdemeanor depending upon mitigating and aggravating circumstances.

Assuming offenders can be housed in existing facilities with no additional staff, the marginal cost for medical care, food, and clothing is approximately \$4,818 annually, or \$13.20 daily, per prisoner. However, any

additional expenditures are likely to be small. The average length of stay in Department of Correction (DOC) facilities for all Class D felony offenders is approximately ten months.

**Explanation of State Revenues:** *Penalty Provision:* If additional court cases occur and fines are collected, revenue to both the Common School Fund (from criminal fines) and the state General Fund (from court fees) would increase. The maximum fine for a Class D felony is \$10,000. However, any additional revenues would likely be small.

**Explanation of Local Expenditures:** *Penalty Provision:* If more defendants are detained in county jails prior to their court hearings, local expenditures for jail operations may increase. However, any additional expenditures would likely be small.

**Explanation of Local Revenues:** *Penalty Provision:* If additional court actions occur and a guilty verdict is entered, local governments would receive revenue from court fees. However, the amounts would likely be small.

**State Agencies Affected:** DOC.

**Local Agencies Affected:** Trial courts, local law enforcement agencies.

**Information Sources:**

**Fiscal Analyst:** Chris Baker, 317-232-9851.